

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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**IN RE: AMARANTH NATURAL GAS
COMMODITIES LITIGATION**

: **ECF Case**

This Document Relates to:

: **Case No.: 07 Civ. 6377 (SAS)**

ALL ACTIONS
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**NOTICE OF MOTION OF DEFENDANT MATTHEW DONOHUE TO DISMISS
PLAINTIFFS' CORRECTED CONSOLIDATED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the annexed affidavit of Brijesh P. Dave, sworn to on April 28, 2008, and the exhibits provided therewith, and the accompanying memorandum of law, the undersigned will move this Court before the Honorable Shira A. Scheindlin in Courtroom 15C of the United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date to be determined, for an order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Plaintiffs' Corrected Consolidated Class Action Complaint with prejudice.

Defendant Matthew Donohoe respectfully requests that this Court grant oral argument on his motion to dismiss.

Dated: New York, New York
April 28, 2008

SIMPSON THACHER & BARTLETT LLP

By /s/ Mark J. Stein
Mark J. Stein
Joshua A. Levine
Brijesh P. Dave
425 Lexington Avenue
New York, NY 10017-3954
Telephone: (212) 455-2000

Attorneys for Matthew Donohoe